



Atty. Dkt. No. 073406-0701

DECLARATION AND POWER OF ATTORNEY
Utility Application

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**COMPOSITIONS AND METHODS INVOLVING AN ESSENTIAL STAPHYLOCOCCUS AUREUS
 GENE AND ITS ENCODED PROTEIN STAAU_R9**

(Attorney Docket No.: 073406-0701)

the specification of which (check one)

☐ is attached hereto.

☒ was filed on December 19, 2001 as United States Application
 Serial Number 10/025,222 or PCT International Application Number
 and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

Atty. Dkt. No. 073406-0701

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/256,349	December 19, 2000

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

Atty. Dkt. No. 073406-0701

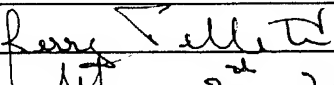
BERNARD L. KLEINKE	Reg. No. 22,123
STACY L. TAYLOR	Reg. No. 34,842
BARRY S. WILSON	Reg. No. 39,431
ARTHUR A. WELLMAN	Reg. No. 47,174
RICHARD J. WARBURG	Reg. No. 32,327
MICHAEL A. WHITTAKER	Reg. No. 46,230
WESLEY B. AMES	Reg. No. 40,893
ANDREW EDWARD GRANSTON	Reg. No. 38,473
STEPHEN E. REITER	Reg. No. 31,192

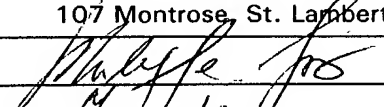
and I request that all correspondence be directed to:

Wesley B. Ames
P.O. Box 80278
SAN DIEGO, CALIFORNIA 92138-0278
Telephone: 858/847-6700
Facsimile: 858/792-6773

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of inventor	Jerry Pelletier
Residence	Baie-D'Urfe, Quebec, Canada
Citizenship	Canada
Post Office Address	8 Lakeview, Baie-D'Urfe, Quebec, Canada H9X3B1
Inventor's signature	
Date	May 2 nd , 2002.

Full Name of Inventor	Philippe Gros
Residence	St. Lambert, Quebec, Canada
Citizenship	Canada
Post Office Address	107 Montrose, St. Lambert, Quebec, Canada J4R1X4
Inventor's signature	
Date	May 2/2002

Atty. Dkt. No. 073406-0701

Full Name of Inventor

Michael DuBow

Residence

Montreal, Quebec, Canada

Citizenship

Canada

Post Office Address

4901 Coolbrook Avenue, Montreal, Quebec, Canada
H3X2K8

Inventor's signature

Michael A. DuBow

Date

02/05/02